

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

<p>RANDI HANDWERK, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00351 (MJD/TNL)
<p>DAN FLATEN, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00404 (MJD/TNL)
<p>LEON PFAFF, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00462 (MJD/TNL)

<p>B. CARLSON, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00475 (MJD/TNL)
<p>RYAN BROS., INC., on behalf of themselves and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00433 (MJD/TNL)
<p>EAGLE LAKE FARMS PARTNERSHIP, on behalf of itself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00543 (MJD/TNL)

<p>BRAD DEKREY, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00639 (MJD/TNL)
<p>TYLER SCHULTZ, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00681 (MJD/TNL)
<p>HAPKA FARMS, INC. and AMY HAPKA, on behalf of themselves individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP et al.,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00685 (MJD/TNL)

<p>BEEMAN BERRY FARM, LLC, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP et al.,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00719 (MJD/TNL)
<p>WUNSCH FARMS, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00970 (MJD/TNL)
<p>KENNETH BECK, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p style="text-align: center;">Defendants.</p>	Case No. 21-cv-00996 (MJD/TNL)

WHEREAS, in certain of the above-captioned actions, Defendants Bayer CropScience LP and Bayer CropScience, Inc., have moved¹ to transfer venue

¹ ECF No. 42 in Case No. 21-cv-00351; ECF No. 17 in Case No. 21-cv-00404; ECF No. 18 in Case No. 21-cv-00462; ECF No. 13 in Case No. 21-cv-00475; ECF No. 33 in Case No. 21-cv-00433; ECF No. 19 in Case No. 21-cv-00543; ECF No. 14 in Case No. 21-cv-00681; and ECF No. 11 in Case No. 21-cv-00685.

(collectively, “Venue Motions”) to the United States District Court for the Eastern District of Missouri;

WHEREAS, related litigation is also pending in the United States District Courts for the District of Kansas, Eastern District of Pennsylvania, Southern District of Illinois, and District of Idaho as well as motion practice before the Judicial Panel on Multidistrict Litigation;

WHEREAS, it is anticipated that the above-captioned actions “will ultimately be consolidated and coordinated, in the interest of justice, efficiency, and conservation of judicial resources”;

WHEREAS, “[t]he parties have conferred and agree it would not be efficient at this stage of the proceedings for defendants to begin responding to the . . . complaints or to do so in piecemeal fashion”;

WHEREAS, “[t]he parties are also attempting to coordinate proceedings with the plaintiffs in the related actions in the . . . other federal districts”;

WHEREAS, the parties have filed a Joint Motion to Set Response Deadlines and Briefing Schedule² (“Joint Motion”);

² ECF No. 71 in Case No. 21-cv-00351; ECF No. 31 in Case No. 21-cv-00404; ECF No. 34 in Case No. 21-cv-00462; ECF No. 44 in Case No. 21-cv-00475; ECF No. 49 in Case No. 21-cv-00433; ECF No. 33 in Case No. 21-cv-00543; ECF No. 30 in Case No. 21-cv-00639; ECF No. 26 in Case No. 21-cv-00681; ECF No. 27 in Case No. 21-cv-00685; ECF No. 26 in Case No. 21-cv-00719; ECF No. 10 in Case No. 21-cv-00970; and ECF No. 9 in No. 21-cv-00996.

WHEREAS, the parties have agreed that the plaintiffs in the above-captioned actions will file a consolidated amended complaint no later than April 21, 2021;

WHEREAS, the parties have agreed that the consolidated amended complaint “will not include any new claims not already pleaded in the [above-captioned actions] filed on or before April 9, 2021”;

WHEREAS, the parties have additionally agreed that, if the consolidated amended complaint is filed on or before April 21, 2021, the pending Venue Motions “shall be deemed withdrawn without prejudice to refile a single motion as to the [consolidated amended complaint]”; and

WHEREAS, the parties have further agreed to certain briefing schedules in response to the consolidated amended complaint;

THEREFORE, for good cause shown, **IT IS HEREBY ORDERED** that:

1. The Joint Motion is **GRANTED**.
2. The plaintiffs in the above-captioned actions shall file a consolidated amended complaint no later than **April 21, 2021**. The consolidated amended complaint will not include any new claims not already pleaded in the above-captioned actions filed on or before April 9, 2021.

3. On or before April 28, 2021, Defendants Bayer CropScience LP and Bayer CropScience, Inc., shall file a letter indicating whether the Venue Motions³ are withdrawn.

4. The deadline for all of the defendants to respond to the consolidated amended complaint is extended to **May 5, 2021**.

5. In the event any of the defendants files a motion to dismiss, the plaintiffs' opposition thereto shall be filed on or before **May 26, 2021**.

6. Any replies in support of a motion to dismiss shall be filed on or before **June 16, 2021**.

Date: April 20, 2021

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

Handwerk v. Bayer CropScience LP et al.
Case No. 21-cv-00351 (MJD/TNL)

DeKrey v. Bayer CropScience LP et al.
Case No. 21-cv-00639 (MJD/TNL)

Flaten v. Bayer CropScience LP et al.
Case No. 21-cv-00404 (MJD/TNL)

Schultz v. Bayer CropScience LP et al.
Case No. 21-cv-00681 (MJD/TNL)

Pfaff v. Bayer CropScience LP et al.
Case No. 21-cv-00462 (MJD/TNL)

Hapka Farms, Inc. et al. v. Bayer CropScience et al.
Case No. 21-cv-00685 (MJD/TNL)

Carlson v. Bayer CropScience LP et al.
Case No. 21-cv-00475 (MJD/TNL)

Beeman Berry Farm, LLC v. Bayer CropScience LP et al.
Case No. 21-cv-00719 (MJD/TNL)

Ryan Bros., Inc. v. Bayer CropScience LP et al.
Case No. 21-cv-00433 (MJD/TNL)

Wunsch Farms v. Bayer CropScience LP et al.
Case No. 21-cv-00970 (MJD/TNL)

Eagle Lake Farms Partnership v. Bayer CropScience LP et al.
Case No. 21-cv-00543 (MJD/TNL)

Kenneth Beck v. Bayer CropScience LP et al.
Case No. 21-cv-00996 (MJD/TNL)

³ See *supra* n.1.